

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

EMMANUEL EDUARDO LOPEZ-
CONTRERAS,

Defendant.

Case No. 2:24-mj-01434

ORDER OF DETENTION

On March 13, 2024, Defendant Emmanuel Eduardo Lopez-Contreras made his initial appearance in this district on the Indictment filed in the District of Alaska. At Defendant's request, the detention hearing was continued to March 20, 2024. A detention hearing was held on that date.

☒ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1 ☒ On motion by the Government or on the Court's own motion
2 [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the
3 defendant will flee.

4 The Court concludes that the Government is entitled to a rebuttable
5 presumption that no condition or combination of conditions will reasonably
6 assure the Defendant's appearance as required and the safety of any person
7 or the community [18 U.S.C. § 3142(e)(2)]. For the reasons set forth below,
8 the Court concludes that Defendant rebutted the presumption as to risk of
9 flight, but did not rebut the presumption as to dangerousness.

10 The Court finds that no condition or combination of conditions will
11 reasonably assure:

12 ☐ the appearance of the Defendant as required.

13 ☒ the safety of any person or the community.

14 The Court has considered the following:

15 (a) the nature and circumstances of the offense(s) charged, including
16 whether the offense is a crime of violence, a Federal crime of terrorism,
17 or involves a minor victim or a controlled substance, firearm, explosive,
18 or destructive device;

19 (b) the weight of evidence against the Defendant;

20 (c) Defendant's history and characteristics; and

21 (d) the nature and seriousness of the danger to any person or the
22 community.

23 *See* 18 U.S.C. § 3142(g) The Court also considered all the evidence adduced
24 at the hearing, the arguments of counsel, and the report and
25 recommendation of the U.S. Pretrial Services Agency.

26 The Court bases its conclusions as to dangerousness on the following:

27 ☒ The allegations in the Indictment;
28

1 ☒ If released, Defendant would have access to extended
2 family members who are minors and in the same age range as the victim in
3 the Indictment;

4 ☒ In his work as a delivery driver, Defendant could come into
5 unsupervised contact with minors.

6 It is therefore ORDERED that Defendant Emmanuel Eduardo Lopez-
7 Contreras be detained until trial and be transported to the United States
8 District Court for the District of Alaska for further proceedings. **Both**
9 **government counsel and counsel for the Defendant are directed to**
10 **follow up with government counsel in the charging district**
11 **regarding the Defendant's next scheduled appearance, and the**
12 **status of the Defendant's transportation to, and arrival in, the**
13 **charging district for the appearance.**

14 The Defendant will be committed to the custody of the Attorney
15 General for confinement in a corrections facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in
17 custody pending appeal. The Defendant will be afforded reasonable
18 opportunity for private consultation with counsel. On order of a Court of the
19 United States or on request of any attorney for the Government, the person
20 in charge of the corrections facility in which the Defendant is confined will
21 deliver the Defendant to a United States Marshal for the purpose of an
22 appearance in connection with a court proceeding. *See* 18 U.S.C. § 3142(i).

23 Dated: March 20, 2024

24
25 

26 PATRICIA DONAHUE
27 UNITED STATES MAGISTRATE JUDGE
28